

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES RAMPINO,  
Petitioner,

V.

BERNARD BRADY,  
Respondent.

Civil Action No. 04-12033-PBS

**SECOND MOTION FOR ENLARGEMENT OF TIME  
TO FILE RESPONSIVE PLEADING TO PETITION FOR HABEAS CORPUS**

Respondent, through counsel, respectfully requests that this Court enlarge the time to file an answer or other responsive pleading and to extend the deadline to file such a pleading ten days, to December 17, 2004. In support thereof, respondent states that:

1. An answer or responsive pleading is currently due in this action on December 7, 2004.
2. Respondent previously requested and received a thirty-day extension of that deadline to obtain relevant state court record documents, as requested by the Court.
3. Respondent has received the relevant state court record documents, and it appears from those documents that the petition is subject to dismissal for failure to state a cognizable federal claim, and respondent plans to file a dispositive motion to that effect.
4. Undersigned counsel, however, is required to be out of town from December 4-10, due to a family illness.
5. Undersigned counsel therefore requires a brief additional time to complete and file an appropriate dispositive motion.

For these reasons, respondent respectfully requests that this motion be allowed, and that the time to file an answer or other responsive pleading be extended to December 17, 2004.

Respectfully submitted,

THOMAS F. REILLY  
ATTORNEY GENERAL

/s/ David M. Lieber

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ATTORNEYS FOR RESPONDENT

Dated: December 3, 2004